

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Donavan E. Miller,	)	C/A No.: 1:15-1253-SB-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	ORDER
Jodie Taylor; Andy Strickland; and	)	
Matthew Bell,	)	
	)	
Defendants.	)	
	)	

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Plaintiff, proceeding pro se and in forma pauperis, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. Defendants filed a motion for summary judgment on October 27, 2015. [ECF No. 38]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on October 28, 2015, advising him of the importance of the motion to dismiss and of the need for him to file an adequate response. [ECF No. 39]. Plaintiff was specifically advised that if he failed to respond adequately, Defendants' motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to Defendants' motion for summary judgment by December 29, 2015. Plaintiff is further advised that if he fails to respond, this action will be

recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

December 14, 2015  
Columbia, South Carolina

Shiva V. Hodges  
United States Magistrate Judge